IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT
THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION No: 28138 of 1995

Between:

K.Janardhan Reddy, S/o. K.Narsimha Reddy,
R/o. Plot.No. B-36, Huda Colony,
Saroornagar, Hyderabad, (A.P).,

..... PETITIONER

AND

1. The Addl.Industrial Tribunal-cum-Addl.Labour Court,
   Hyderabad Rep by its Presiding Officer,
   1st Floor, Chandravihar Building, Nampally,
   Hyderabad-1, A.P.,
2. The Depot Manager, A.P.S.R.T.C. Bus Depot,
   Secunderabad (Now called RNG-II) Depot, Secunderabad,
   A.P.,

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction particularly one in the nature of Certiorari and quash the award passed by the 1st respondent in I.D. No. 361 of 1988 award dated: 28-9-1993 and published on 10-02-1994 in so far as denying the petitioner back wages, continuity of service and other attendant benefits as illegal, unjust, contrary to law and perverse and consequently directing the 2nd respondent to grant continuity of service, back wages and other attendant benefits and to pass such other and further orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.K.SUBHAS REDDY

Counsel for the Respondent No.1: GP FOR LABOUR

Counsel for the Respondent No.2: MR.K.HARINATH
SC FOR APSRTC

The Court made the following:

ORAL ORDER:-

The Writ Petition is filed assailing the order, dated 28.09.1993, passed by the Additional Industrial Tribunal-cum-Additional Labour Court (for short 'the Tribunal'), in I.D.No.361 of 1988.

2. The petitioner was working as a conductor. He was removed from service by the 2nd respondent by an order, dated 05.02.1973, for cash and ticket irregularities. After availing appeal and review remedy, the petitioner raised I.D.No.361 of 1988.

3. The learned Tribunal, after considering the matter, held that the punishment of removal was set aside and directed the authorities to reinstate the petitioner without back wages and continuity of service by an award, dated 28.09.1993. Against the said award, the present Writ Petition has been filed by the workman.

4. The learned counsel for the petitioner submits that denying the back wages and continuity of service is wholly illegal and contrary to law, and the Tribunal at least ought to have maintained the continuity of service.

5. I am afraid I cannot accept the contention raised by the learned counsel.

6. The petitioner raised the industrial dispute after (15) fifteen years and the Tribunal after taking liberal view of the matter, granted substantial relief of fresh appointment to the petitioner. Thus, I do not

find any illegality in the order of the Tribunal.

7. Accordingly, the Writ Petition is dismissed. No costs.

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G. BIKSHAPATHY, J.

Date: 17.02.2005
ES

To

1. The Presiding Officer, Additional Industrial Tribunal-cum-Additional Labour Court, Hyderabad,
   1st Floor, Chandravihar Building, Nampally,
   Hyderabad-1, A.P.,
2. The Depot Manager, A.P.S.R.T.C. Bus Depot,
   Secunderabad (Now called RNG-II) Depot, Secunderabad,
   A.P.,
3. 2 CCs to the G.P. for Labour, High Court of A.P., Hyderabad (OUT).
4. 2 CD copies.